

## IF YOU ARE THREATENED OR HARASSED

If anyone threatens you or you feel that you are being harassed because of your cooperation with this case, there are remedies available. Threatening a witness is a separate federal crime. Accordingly, it happens much less than you may think. In emergencies call the police immediately. In all other instances, call the Assistant United States Attorney assigned to the case, the Victim-Witness Coordinator or the case agent for assistance.

## FURTHER ASSISTANCE & SERVICES

### If you are a victim, you are entitled to:

- Notification of case events, usually by letter or e-mail, through the Victim Notification System (VNS).\*\*\* Victims can update this information themselves on the VNS website at: [www.notify.usdoj.gov](http://www.notify.usdoj.gov). **REMINDER: Please keep the U.S. Attorney's Office informed of any address, e-mail, or telephone number changes.**
- Referrals to other agencies or professionals for counseling, shelter, and/or compensation.

### If you are a victim or a witness, you are entitled to:

- A separate waiting area away from defendant and defense witnesses.
- Courtroom support.
- Information and assistance with travel, parking, and reimbursement for mandatory appearances and pre-court trial interviews.



## LIMITED CONFIDENTIALITY STATEMENT

We are here to assist you as you go through the criminal justice process. However, you should know that we work as part of a team with the criminal prosecutor and the investigative case agent. We do our best to keep sensitive information confidential. As part of the team, there are times when we may need to share information you provide with the other team members. This is especially important if you share information regarding your safety, a medical emergency, information that relates to child abuse, and/or information that is critical to the investigation or prosecution of the case.

## CONTACT INFORMATION

Linda Mersch  
Victim-Witness Coordinator  
U.S. Attorney's Office  
111 7th Ave SE, Box 1  
Cedar Rapids, Iowa 52401  
Main Office Number (319) 363-6333  
Toll-Free Number (877) 398-2842

State Compensation Program  
(800) 373-5044

State Crisis Hotline  
(800) 332-4224

National Organization for  
Victim Assistance  
(800)-TRY-NOVA

National Center for Victims of Crime  
(800)-FYI-CALL



\* If you believe that an employee of the United States Attorney's Office failed to provide you with one or more of your rights as a victim, you may file an administrative complaint, as provided under 28 CFR § 45.10. Please contact the United States Attorney's Office to obtain information about these procedures.

\*\* For more information about victim impact statements see "Victim Impact Statements: Know Your Rights" pamphlet or call the Victim-Witness Coordinator.

\*\*\* For more information about the Victim Notification System (VNS) see "The Department of Justice Victim Notification System" blue pamphlet or call the Victim-Witness Coordinator.

# INFORMATION AND ASSISTANCE FOR VICTIMS AND WITNESSES OF FEDERAL CRIME



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## INFORMATION FOR VICTIMS AND WITNESSES OF FEDERAL CRIME

The following information has been prepared to help answer any questions that you may have about the federal criminal justice system. We have included information which will give you an understanding of: **your rights as a victim, how the federal criminal justice system works, and programs for assistance that are available for both victims and witnesses.**

The role of the United States Attorney's Office is to prosecute criminal cases on behalf of the federal government. Our actions on your behalf do not constitute an attorney-client relationship and we cannot give you legal advice. The interests of the United States may occasionally diverge from your interests as a victim.

## VICTIMS' RIGHTS

**The Crime Victims' Rights Act gives victims of offenses charged in Federal court the following rights:**

- The right to be reasonably protected from the accused.
- The right to reasonable, accurate, and timely notice of any public court proceeding involving the crime or of any release or escape of the accused.
- The right not to be excluded from any public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding.
- The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding.
- The reasonable right to confer with the attorney for the Government in the case.
- The right to full and timely restitution as provided in the law.
- The right to proceedings free from unreasonable delay.
- The right to be treated with fairness and with respect for the victim's dignity and privacy.

We will make our best efforts to ensure you are provided the rights described. You may seek the advice of an attorney with respect to these rights.\*

## THE CRIMINAL JUSTICE PROCESS

**As the case moves through the federal court system, there are several events that typically occur:**

### (1) INVESTIGATION

### (2) GRAND JURY

A Grand Jury hears evidence in a non public proceeding and may issue a formal charge called an Indictment. An arrest warrant may be issued at this time if the defendant(s) has not already been arrested.

### (3) ARREST

### (4) INTIAL APPEARANCE & ARRAIGNMENT

A defendant appears in court and hears the charge(s) against him/her. At this time, the defendant typically enters a plea of not guilty. They are advised of their rights, assisted in arranging legal counsel, and the judge determines whether he/she should be released.

### (5) DETENTION HEARING (POSSIBLE)

If a detention hearing is held, the court will take additional evidence to determine if the defendant should be released or detained pending the outcome of the case. If you are a victim of charged conduct you have the right to address the judge in open court at this time regarding your feelings about the defendant's release from custody.

### (6) PRELIMINARY HEARING (If no Grand Jury)

A judge determines if there is sufficient probable cause to charge the defendant. This only occurs if the defendant has not been charged by the grand jury.

### (7) DISCOVERY, PLEA NEGOTIATIONS & MOTIONS

This may include hearings and rulings on motions concerning the admissibility of evidence, trial issues, or a possible guilty plea from the defendant. If you are required to testify at any court proceedings you will receive a subpoena.

### (8) TRIAL

The Government presents its case with witnesses, followed by the defendant's case. The trial generally results in a verdict by a jury.

### (9) PRE-SENTENCE INVESTIGATION REPORT

After a finding of guilt, a pre-sentence report is prepared for the judge by the U.S. Probation Office, at which time you have the right to submit written victim impact statements for inclusion in this report. \*\*

### (10) SENTENCE

The victim of the crime or their representatives has the right to tell the judge in open court the impact the crime had on the victim.

### (11) APPEAL

## ASSISTANCE AND OTHER SERVICES

### The Emotional Impact of a Crime

Many victims of and witnesses to crime are emotionally affected by their experience and although everyone reacts differently, many people report common reactions such as:

- Anger
- Feelings of panic and/or anxiety
- Nightmares and sleep pattern changes
- Feelings of self-doubt, shame or guilt
- Reliving what happened
- Depression, difficulty concentrating
- Increased concern for personal safety and that of their family

**Many people continue to have these responses for some time after the crime. The Victim-Witness Program can assist you in finding appropriate support services.**

## RESTITUTION AND COMPENSATION

### Victim Compensation

The Crime Victim Compensation Program for the State of Iowa administered by the Iowa Attorney General's Office, helps cover expenses for victims of violent crime who have suffered physical or psychological injury. **The Crime Victim Compensation Program may be able to reimburse you for crime related expenses such as medical care, mental health expenses, and lost wages due to crime related injuries.** To obtain further information and an application, contact the program or the Victim-Witness Coordinator listed on the back of this brochure.

### Restitution

Under Federal law, restitution is mandatory for many (but not all) types of crimes. **It is important for victims, who may be entitled to restitution, to keep a record of their losses, medical expenses, property damage and counseling expenses, with receipts when possible.** This information will be needed by the U.S. Attorney's Office if the defendant is convicted in order to seek restitution.